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## BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

DEC 03 2004

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

DOCKETED BY

NR

IN THE MATTER OF THE APPLICATION OF  
WEILCO PAIT, LTD. FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
CUSTOMER-OWNED PAY TELEPHONE  
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-04270A-04-0588

DECISION NO. 67441ORDER

Open Meeting  
November 23 and 34, 2004  
Phoenix, Arizona

**BY THE COMMISSION:**

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On August 9, 2004, WeilCo PAIT, Ltd. ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona.

2. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

3. In Decision No. 57797 (April 8, 1992), the Commission adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

4. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

5. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

6. Applicant has requested that a Certificate be granted and has indicated that it will

1 provide COPT service pursuant to the rates, terms and conditions specified in the Generic COPT Tariff.

2 7. Applicant has payphone locations and submitted certification that it posted the  
3 required Notice of Application at its payphone locations.

4 8. On October 29, 2004, the Commission's Utilities Division Staff ("Staff") filed a Staff  
5 Report recommending approval of the application without a hearing.

6 9. Staff stated that the Applicant has provided a copy of its customer information placard  
7 in compliance with the Generic Tariff.

8 10. Staff also stated that increased pay telephone availability is in the public interest.

9 **CONCLUSIONS OF LAW**

10 1. Applicant is a public service corporation within the meaning of Article XV of the  
11 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

12 2. The Commission has jurisdiction over Applicant and the subject matter of the  
13 application.

14 3. The provision of COPT service in Arizona by Applicant is in the public interest.

15 4. Applicant is a fit and proper entity to receive a Certificate for providing COPT service  
16 in Arizona.

17 5. Staff's recommendation in Findings of Fact No. 8 is reasonable and should be  
18 adopted.

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ORDER

IT IS THEREFORE ORDERED that the Application of WeilCo PAIT, Ltd. for a Certificate of Convenience and Necessity for authority to provide customer-owned pay telephone service in Arizona shall be, and the same is, hereby granted.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

    
 CHAIRMAN COMMISSIONER COMMISSIONER

   
 COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 3<sup>rd</sup> day of Dec., 2004.

  
 BRIAN C. McNEIL  
 EXECUTIVE SECRETARY

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
 AP:mj

SERVICE LIST FOR:

WEILCO PAIT, LTD.

DOCKET NO:

T-04270A-04-0588

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